

REMARKS

Claims 1-3, 5-6, 12-17, 19-21, 28-30 and 45-50 are pending in the application.

Claims 1-3, 5-6, 12-17, 19-21, 28-30 and 45-50 have been rejected.

Claims 1, 2, 5, 6, 12, 13, 14, 15, 16, 19, 20, 21, 28, 29, 30 and 49 have been amended.

Rejection of Claims Under 35 U.S.C. § 112

Claims 1-3, 5, 6, 12-17, 19-21, 28-30, and 49 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action objects to the use of the term “block” in the phrases “forecast series block,” “opportunity and revenue scheduling creation block” and “forecast creation block,” in independent Claims 1, 12, 15 and 28, and all claims depending therefrom. Office Action, p.3.

Applicants have amended the independent claims to remove the objected to language and to include language related to certain hardware found in a typical computer system. Applicants provide these amendments without conceding that the objected to language is “indefinite” as suggested by the Office Action, but instead to progress prosecution. Applicants reserve the right to present the pre-amended claim language in the future, for example in a continuing application.

Applicants respectfully submit that the amendments made to the independent claims, and those dependent claims implicated by the amendments to their corresponding independent claims, render the rejections as to these claims moot. Applicants therefore respectfully submit that independent Claims 1, 12, 15 and 28, and all claims depending

therefrom, are in condition for allowance and request the Examiner's withdrawal of the rejections to these claims and an indication of the allowability of same.

Rejection of Claims Under 35 U.S.C. § 102

Claims 1-3, 12, 45-48, and 50 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,804,657, issued to Sultan ("Sultan"). Applicants respectfully traverse these rejections.

Claims 1, 12, 45, 48 and 50: Independent Claims 1, 12, 45, 48 and 50 each contain limitations of substantially the following form:

a forecast series creation set of instructions to ... generate a forecast series comprising the identified hierarchy data, the identified date and time to generate the forecast, the identity of the members of the organization to be included in the forecast, the identity of the forecast data to be automatically analyzed, and the identified visibility mode.

See, e.g., Claim 1 (as amended). Applicants respectfully submit that the cited sections of Sultan fail to provide disclosure of the claimed "forecast series creation set of instructions to ... generate a forecast series" (Claims 1 and 12) or the claimed "generating a forecast series" (Claims 45, 48 and 50).

As an initial matter, in suggesting disclosure of the claimed "forecast series," the Office Action states that "forecasts are associated with the recited data." *See* Office Action, p.6; *see also* Office Action, p.3 (stating that the sections of Sultan "disclose how the various recited elements are integrated with each set of forecast data"). Applicants respectfully submit that the statements within the Office Action fail to establish or suggest that Sultan generates a forecast series, which, as claimed, is distinct from generating a forecast. The sections of Sultan cited in the Office Action relate only to generating forecasts (Sultan 2:19-

21, 2:35-37, 3:60-64) or to assigning permissions to members of a sales force in order to determine which stored sales forecast information can be integrated in to a real-time sales forecast (Sultan 2:60-64, 5:15-24, 11:9-12:11). Applicants respectfully submit that these sections do not disclose generating a forecast series.

The claimed forecast series is not a sales forecast. The claims themselves specifically distinguish between generation of a forecast series and generation of a forecast using a forecast series. For example, Claim 1 provides a “forecast series creation set of instructions” that identify several criteria, which are then used to generate the forecast series. Then, Claim 1 provides a “forecast creation set of instructions to generate the forecast using the forecast series.” These two different claim limitations distinguish the generation of a forecast series from generating a forecast.

The claims further provide that a forecast series comprises, for example, identified hierarchy data, identified date and time to generate the forecast, the identity of the members of the organization to be included in the forecast, the identity of the forecast data to be automatically analyzed, and the identified visibility mode. Applicants respectfully submit that Sultan provides for no such forecast series that includes all of the components provided in the claims for a generated forecast series.

Further, a “forecast series” is defined in the Application as “a set of parameters defining attributes of forecasts that can be created from the forecast series.” *See* Application, p.8, l.25 - p.9, l.5. In addition, the Application states that the forecast series “provides search specifications that are used in creating forecasts including specifications pertaining to automatic forecast generation.” *Id.* Applicants respectfully submit that there is no disclosure of such search specifications found in the cited sections of Sultan.

Applicants further submit that Sultan fails to provide the automatic forecast generation component of the claimed “forecast series”. Instead, Sultan only discloses real-time forecast generation. *See* Sultan 11:9-12:11. Applicants respectfully submit that, contrary to the position taken in the Office Action (*see* Office Action, p.5), mere use of a computer system does not mean that generation of a forecast occurs automatically. In fact, there is no indication that Sultan performs generation of forecasts in any way except at the explicit direction of the user in “real-time.” *Id.* Applicants further submit that Sultan provides no disclosure of an identified date and time to generate a forecast, again because Sultan only contemplates real-time forecasts. The Office Action suggests that “if a user requests a forecast in ‘real-time,’ as disclosed by Sultan, it is understood that the forecast is to be generated at the present date and time.” Office Action, p.5. Applicants respectfully submit that such an “understanding” does not amount to identifying a date and time to generate a forecast, and having that identified date and time included in the generated forecast series, as required by the independent claims.

For at least these reasons, Applicants respectfully submit that the cited sections of Sultan fail to provide disclosure of all the limitations of independent Claims 1, 12, 45, 48 and 50, as amended, and all claims depending therefrom (Claims 2, 3, 5, 6, 13, 14 and 49). Applicants therefore respectfully request the Examiner’s reconsideration and withdrawal of the rejections as to these claims, and an indication of the allowability of same.

Rejection of Claims Under 35 U.S.C. § 103

Claims 5, 6, 13-17, 19-21, 28-30, and 49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sultan, as applied to Claims 1 and 12 above. Applicants respectfully traverse these rejections.

In order for a claim to be rendered invalid under 35 U.S.C. §103, the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time the invention was made. *See* 35 U.S.C. §103(a). This requires: (1) the reference(s) must teach or suggest all of the claim limitations; (2) there must be some teaching, suggestion or motivation to combine references either in the references themselves or in the knowledge of the art; and (3) there must be a reasonable expectation of success. *See* MPEP 2143; MPEP 2143.03; *In re Rouffet*, 149 F.3d 1350, 1355-56 (Fed. Cir. 1998).

With regard to dependent Claims 5, 6, 13-14 and 49, Applicants respectfully submit that the discussion above related to the independent claims from which these claims depend establishes that Sultan does not provide disclosure of every limitation contained within these claims. For at least these reasons, Applicants respectfully submit that these dependent claims are allowable over Sultan in combination with any other reference or any notice taken by the Examiner.

Claims 15 and 28: Independent Claims 15 and 28 each contain a limitation of substantially the following form:

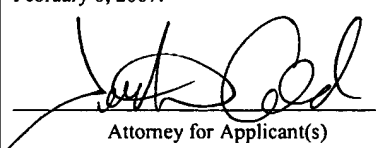
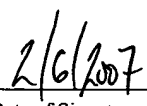
a forecast series creation set of instructions to ... generate a forecast series comprising the identity of the hierarchy data, the identified rules, the date and time to generate a forecast, the identity of the members of the organization to be included in the forecast, the identity of the forecast data to be automatically analyzed, and the identified visibility mode.

See, e.g., Claim 15 (as amended). Applicants respectfully submit that for the reasons discussed above with regard to independent Claims 1, 12, 45, 48 and 50, Sultan fails to provide disclosure of at least this claim limitation in these independent claims. The Office Action fails to provide any additional or differentiated citation to sections within Sultan or any other reference suggesting disclosure of this claim limitation.

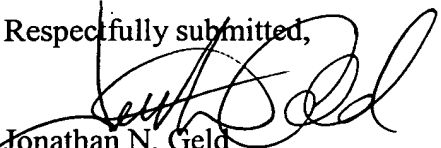
For at least the reasons discussed above, Applicants respectfully submit that independent Claims 15 and 28, and all claims depending therefrom (Claims 16, 17, 19-21, 29 and 30), as amended, are in condition for allowance. Therefore, Applicants respectfully request the Examiner's reconsideration and withdrawal of the rejections as to these claims and an indication of the allowability of same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on February 6, 2007.	
 Attorney for Applicant(s)	 Date of Signature

Respectfully submitted,


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